

correct in his application of the facts to the statute, she was guilty of an attempt at the alleged felony, which attempt renders her liable to five years' imprisonment in the State Prison. It is not upon the facts. No comment.

[illegible][illegible]

Judgment affirmed, with costs—Justice Thompson
concurring.
Salmon agt. Boyer.
Judgment affirmed, with costs.
Fagan agt. Weeks.
New trial only: si—costs to abide the event.
Clark agt. Adams.
New trial ordered—costs to abide the event.
Wood agt. Smith.

Judgment affirmed, with costs—Justice Thayer dissenting.
 Toussaint agt. Fisher.
 Judgment affirmed, with costs—Justice Thayer dissenting.
 Jennings agt. Alexander.
 New trial ordered—costs to abide the event.
 Kelly agt. Koen.
 Judgment reversed, with costs.
 Foster agt. Hill.
 Judgment affirmed—Justice Maynard dissenting.
 Raymond agt. Hill.
 Judgment affirmed—Justice Maynard dissenting.
 Britton agt. Hall.
 Judgment affirmed, with costs.
 McSpedon agt. Crumbe.

Porter agt. Phelan.
Judgment of Special Term affirmed, with costs.
Carney agt. Lindeu.
New trial—costs to abide event.

UNITED STATES DISTRICT COURT—Sept. 22.—Before
Judge Barr.
The case of the slave Merchant was called and
adjourned until to-morrow, the Government not being ready
to trial.

COURT OF GENERAL SESSIONS—Sept. 23.—Before

THE LAST DAY OF THE TERM.

Shortly after the opening of Court, Michael Wogan, convicted of arson in the fourth degree, was called up for sentence. Wogan was convicted several days ago of the aforementioned crime for setting fire to the liquor store of Mr. Kearns, No. 374 West street, on the 21st of last February. The evidence on which he was convicted was purely circumstantial, and quite slenderly circumstantial at that; and the jury which convicted him recommended him strongly to the mercy of the Court. The Court, in passing finally upon the case, referred to the slender character of the testimony to his previous good character. In view of these circumstances Judge Reed declined to suggest judgment.

His partner, Mr. Vittu, pleaded guilty to manslaughter in the third degree, and was sent to the State Prison for two years.

Mr. C. B. Tomlinson here rose and requested that consideration in connection with the argument of the defendant suggested when Judge Russell rendered his decision adverse to the liquor sellers, be kept an open privilege till the October term, which was granted.

Williamson, indicted for robbery in the first degree, pleaded guilty to grand larceny, and was sent to the State Prison for 5 years.

The cases of Mary Ferrey and Mary Bogart, over which the court has two indictments for forgery in the fourth degree, and which had been held guilty to forgery in the fourth

James Kennedy, a mere boy, indicted for murder in bringing a knife into another boy, pleaded guilty to manslaughter in the fourth degree, and was sent to the House of Refuge. Prescott F. Harris, arraigned for violating the censorship on which a former judgment for publishing indecent publications had been suspended, was discharged, the Judge saying there could see no evidence that such conditions had been violated. Mrs. Van Allen, arraigned for collecting money for religious charities, was discharged.

Mr. James R. Whiting, thereupon to a motion to the court in connection with Mr. Galbraith, counsel for Beane, moved for a writ of habeas corpus, and the court granted the writ.

The Court then adjourned for the term.

PART OF SPECIAL SESSIONS—Sept. 26—Before Justice Osborn and Brownell.

The calendar this morning was comparatively **light** comprising but 33 prison cases and 12 bail cases—in just 50.

Henry Williams was arraigned for stealing a pair of **used chickens**, worth 75 cents, from **Stand No. 348 Washington Market**, on the complaint of **George Matthews**. The **good** pleaded guilty to the charge. Justice Osborn to **prisoner** What did you do this for? Prisoner—I couldn't help it. Justice Osborn—Oh, you needn't tell us that; you are an old bird. There are always hanging around the market, stealing everything

John Farrington, charged with stealing a pair of
saddles and a set of lads, and Honora Mathews, accused
of stealing a pair of slippers worth 75 cents, were acquitted.
Matthew Mathewson, arraigned for assault and battery
on Edwin Clarke, No. 218 Sixth avenue, and Daniel Holden,
charged with stealing a quantity of spikes from the National
Lumber Company, Tenth street, were convicted and their sentences
perpetuated.

John Huribert and Thomas Sullivan were charged
with stealing, on the 23d of September, a bag of white lead,
valued at \$11, from John Hosau, No. 24 South street. Prison-
ers were caught in the act. Sent to the Penitentiary for three

Adrian DeGroot, 24, was arraigned for stealing a silver pocket, on the 22d of September, of Johanna Ays of 100 Madison avenue, of the sum of \$4 in silver coin. He was detected with his hand in complainant's pocket. He is in the Penitentiary for three months.

Frank Knapp was arraigned for stealing a silver watch, worth \$5, from Ludwig Frank, of No 55 Green street, was sent to the Penitentiary for three months.

John Koler and Edward McAvoy, charged with assault and battery, by their respective wives, were both discharged at the request of the same complainants.

Edward B. Connelly was arraigned for assault and battery, on the 23d of September, on Frederick Wells of the

Nancy Woods, colored, and the terror of Church street, was arraigned on the complaint of John Shea, No. 29 1/2 street, for stealing a watch from O'NEIL with a knife on the 22nd inst. Sent to the Penitentiary for three months.

Thomas Maker, arraigned on the complaint of Edward Johnson of the Twenty-first Ward Police, for selling books: Martin C. Cunnell, charged with assault and battery; and Jacob Froehman, charged with stealing a knife, worth

Elizabeth Dodd was arrested for stealing \$7, as a result, from May Fox, No. 33 Eleventh street, and sent to the Penitentiary for two months.

Charles McNamara was charged with stealing, on 18th September, a trunk, containing sewing apparatus, worth \$100, and thirty dozen skins of black sewing silk, worth \$100, from Abraham Marks, No. 4 Baxter street. A part of the property was found where the accused had sold it. Sent to the Penitentiary for two months.

Patrick Quinn was charged with assault and battery on his wife, Ann Quinn, and sent to the Penitentiary for two months.

Margaret McCuddy was charged with assault and

Simon Frederick, charged with assault and battery James Kerrea, was acquitted. Michael Burke, charged with same, was fined \$10. The case of Francis Connor, charged in assault and battery, was settled.

George Lendner, Andrew Bruer, Margaret Leary, Jack McManus, Sarah Maloney, Hannah Mooney, Kate McKee, Mary McKee, Michael Draper, charged with assault and battery, and Wm. Copeland and James McKean, charged with same, were acquitted and their sentences suspended.

The cases of Wm. Nolan and Mary Curry, for assault and battery, were put over to Tuesday next. That of Wm.

and, Thos. O'Connor and David Levy, arraigned for assault battery; and Peter Reinhart, John Desmond, Thos. Smith, Washington Geary, Chas. Hensley, Michael Mann, Joseph and J. May McDaniel, arraigned for stealing, were all sentenced to the reformatory for a term of six months. The court adjourned to 9 o'clock on Tuesday morning.

... to find an answer to the question of whether the ...